

REMARKS

Claims 5, 7, 8, 18, 19, and 21 are presently pending in the application.

Notwithstanding any claim amendments of the present Amendment or those amendments that may be made later during prosecution, Applicant's intent is to encompass equivalents of all claim elements. Reconsideration in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 5, 7, 8, 18, 19, and 21 stand provisionally rejected for double patenting under 35 U.S.C. §101. The Office Action incorrectly asserts that claims 5, 7, 8, 18, 19, and 21 are co-pending in Application Nos. 09/805,138 and 09/805,200.

This rejection is respectfully traversed in view of the following discussion.

CO-PENDING APPLICATIONS 09/805,138 AND 09/805,200

In regard to the co-pending Application 09/805,138, a Preliminary Amendment filed with the Application on March 14, 2001 canceled claims 1-9 and 18-21 without prejudice or disclaimer. As a convenience to the Examiner, a copy of this Preliminary Amendment and a photocopy of the USPTO's dated postcard receipt is provided.

Therefore, co-pending Application 09/805,138 does not include claims 5, 7, 8, 18, 19, and 21 among its pending claims, as incorrectly asserted by the Office Action.

In regard to the co-pending Application 09/805,200, a Preliminary Amendment filed with the Application on March 14, 2001 canceled claims 5, 7, 8, 15-19, 21 and 22 without prejudice or disclaimer. As a convenience to the Examiner, a copy of this Preliminary Amendment and a photocopy of the USPTO's dated postcard receipt is provided.

Therefore, co-pending Application 09/805,138 does not include claims 5, 7, 8, 18, 19, and 21 among its pending claims, as incorrectly asserted by the Office Action.

Withdrawal of the provisional rejection of claims 5, 7, 8, 18, 19, and 21 under 35 U.S.C. §101 is respectfully solicited.

CONCLUSION

In view of the foregoing, Applicant submits that claims 5, 7, 8, 18, 19, and 21, all the claims presently pending in the application, are patentably distinct over the prior art of record

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and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 09-0456.

Respectfully Submitted,

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